

STATE OF NEW YORK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

DOCUMENTS SERVED WITH INDEX#: 08CIV.3370

AND FILED ON

4/4/2008

EDMOND MALONE INDIVIDUALLY AND ON BEHALF OF ALL OTHER INDIVIDUALS
SIMILARLY SITUATED

Vs.

TRI STATE LLC, ET AL

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF: NEW YORK

SS

COUNTY OF WESTCHESTER

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York . On 4/17/2008 at 12:37PM, deponent did serve the within process as follows:

Process Served:

SUMMONS AND COMPLAINT, INSTRUCTIONS FOR FILING AN ELECTRONIC CASE**

Party Served:

TRI STATE LLC(herein called recipient)
therein named.

At Location:

323 RAILROAD AVENUEBEDFORD HILLS NY 10507

By delivering to and leaving with PHILLIP THOMAS and that deponent knew the person so served to be the MANAGING AGENT of the corporation and authorized to accept service..

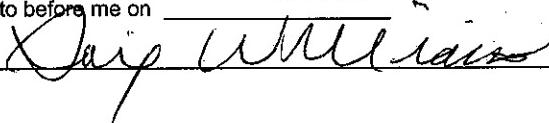
A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

| | | | | | |
|--------|-----|----------------|----------|---------------|------|
| Sex | M | Color of Skin | WH | Color of Hair | GRAY |
| Age | 58 | Height | 5'10"-6' | | |
| Weight | 190 | Other Features | SEATED | | |

****OR APPEAL, INDIVIDUAL PRACTICES OF WILLIAM C. CONNER; AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE GEORGE A. YANTHIS**

Sworn to before me on

4/17/2008




Gary Williams

Server's License#:

GAIL WILLIAMS
Notary Public, State of New York
No. 4865052
Qualified in Westchester County
Commission Expires September 30, 2010